

Bivalve Packing Company, Inc. T/A East Point Oyster Co.

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February 3, 2005

**To: Charles M. Kuperus
NJ Dept of Agriculture
P.O. Box 330
Trenton, NJ 08625**

**From: Steve Fleetwood
Bivalve Packing Co, Inc
General Manager**

Re: Term "Farm Raised" as applied to shellfish

I have recently become aware of an initiative of the USDA and the New Jersey Department of Agriculture to promote the use of term "farmed raised" for application to certain shellfish products. Though the intent of this initiative is laudable, since both cultured oysters and clams quite clearly fall under this definition. Indeed, as early as 1887, the recognition that production of cultured oysters was truly a farming activity, and this was eventually recognized by subsequent state legislation, which mandated the role of the Agriculture Experiment Station is assisting the oyster culturists.

However, I must indicate my reservations regarding the undefined and unmonitored use of this term as applied to oysters. There is a very real risk that the unwary and uninformed purchaser could be grossly misled to believe that the product marked as "farmed raised" is of superior quality or meets more stringent sanitary standards than the "wild harvest" shellfish, whether this is explicitly declared or simply implied by the product label. Such a perception is patently erroneous, and has no basis in fact and is unsupportable by valid science or long-term experience.

Though it is clearly advantageous to the legitimate shellfish producers to be considered "farmers" and thus fall under the aegis of the federal and state agriculture programs, it would render an extreme disservice in these same producers if the term "farmed raised" should become synonymous with a better more acceptable product in the eyes of the consumer. There is ample opportunity for the less than scrupulous shellfish purveyors to abuse this term to their own advantage, unless the agencies promoting the use of the term mounts an effective program of monitoring for its misuse and simultaneously develops a continuing education effort to alert the consumer community as to the true meaning of the term and its implications as regards product quality and health risks.

Hopefully, your agency will recognize the double-edge nature of such a term and take an appropriate position to protect the market position of the legitimate producers. If you have further questions as to the reservations expressed above, please contact me at (856) 785-0270 or the above address.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Fleetwood", written over a horizontal line.

Steve Fleetwood
General Manger

cc: L.J. O'Dierno NJDA
Monique Purcell NJDA
Ken Moore ISSC
Douglas H. Fisher NJ General Assembly